

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

LISA BARBOUNIS	:	CIVIL ACTION
	:	NO. 2:19-cv-05030-JDW
Plaintiff,	:	NO. 2:20-cv-02946
-vs-	:	
	:	
THE MIDDLE EAST FORUM, et al.	:	
	:	
Defendants.	:	
	:	

DEFENDANTS' PRE-TRIAL MEMORANDUM

In accordance with the Court's Order of June 25, 2021, Federal Rule of Civil Procedure 26(a)(3) and Local Rule of Civil Procedure 16.1, Defendants The Middle East Forum (the "Forum"), Daniel Pipes and Gregg Roman (collectively, "Defendants") hereby submit their pretrial memorandum.

I. NATURE OF THE ACTION AND BASIS FOR JURISDICTION

This Court's resolution of the parties' motions for summary judgment (Doc. Nos. 133 and 135) has narrowed the issues and the scope of this matter considerably. The Court dismissed several claims raised by Plaintiff as abandoned or preempted, including:

- her claims of retaliation under Title VII of the Civil Rights Act of 1964 ("Title VII"), the Philadelphia Fair Practices Ordinance ("PFPO") and the Pennsylvania Human Relations Act ("PHRA") (*see* Doc. No. 133 at p.2);
- her claim for constructive discharge (*Id.*);
- her claim for disparate treatment due to the lack of any alleged tangible employment action taken by the Forum against her; (*Id.*);

- her tort claims for negligent hiring/retention/supervision (*Id.* at p.1-3).

Plaintiff's only remaining claims for trial is a hostile work environment theory of sexual harassment and a derivative state law claims for aiding and abetting discrimination under the PHRA and PFPO. (*See* Doc. No. 133 at p.3). To prevail on this claim at trial, Plaintiff "must establish that 1) [she] suffered intentional discrimination because of [her sex, 2) the discrimination was severe or pervasive, 3) the discrimination detrimentally affected [her], 4) the discrimination would detrimentally affect a reasonable person in like circumstances, and 5) the existence of respondeat superior liability." *Moody v. Atl. City Bd. of Educ.*, 870 F.3d 206, 213 (3d Cir. 2017) (quotation omitted).

The gravamen of Plaintiff's hostile work environment claims are that Defendant Gregg Roman put his arm around her inappropriately at the American Israel Public Affairs Committee ("AIPAC") conference on March 4, 2018, that Roman engaged in an inappropriate discussion of a sexual nature and slid his foot under her clothed backside while sitting on a couch in Israel several days later, and, according to Plaintiff's declaration, made suggestive comments to her through October of 2018.

At trial, Defendants will show that Plaintiff was not subject to any unwelcome conduct based on her gender. Instead, as Defendants will show, Plaintiff and Roman had a friendly relationship in a high-pressure work environment. Defendants will show that Plaintiff chose to spend time with Roman outside the workday and that Plaintiff had a positive working relationship with Mr. Roman. In short, Defendants will show that the conduct alleged by Plaintiff did not occur. Furthermore, Defendants had an anti-harassment policy in place of which Plaintiff was aware, and Plaintiff failed to report any misconduct by Roman until November 1, 2018, at which time Daniel Pipes, taking Plaintiff at her word, took action intended to and which did remedy any potential harassment of Plaintiff, which Plaintiff herself acknowledges. Defendants

are thus insulated from liability pursuant to the *Faragher-Ellerth* affirmative defense, which Defendants will prove at trial. (*See* Doc. 133 at p.5-6). Furthermore, Defendants submit, and will show at trial, that Plaintiff suffered no recoverable damages as a result of her allegations even if true (which, again, Defendants deny), and that any emotional distress suffered by Plaintiff was the result of causes and actions outside of her employment with the Forum.

The Court has subject matter jurisdiction over this case as Plaintiff seeks relief under Title VII of the Civil Rights Act of 1964.

II. **WITNESSES**

Please see Attachment A for a list of Defendants’ anticipated trial witnesses.

III. **EXHIBITS**

Please see Attachment B for a list of Defendants’ anticipated trial exhibits.

IV. **LEGAL ISSUES**

The most critical issue that will be presented to the Court for decision in advance of trial is the admissibility of evidence given by or about the allegations against Roman made by three of Plaintiff’s former coworkers, Lisa Barbounis, Caterina Brady, and Patricia McNulty and other former employees of the Forum. As Defendants will show in their forthcoming motion in limine, third-party witness testimony in this matter, which concerns only those claims of Plaintiff herself, should be limited to that of Plaintiff herself and any other witnesses who observed the alleged conduct in question. Plaintiff should not be permitted to call other witnesses to testify about their own allegations of harassment against Roman, as such testimony is irrelevant to Plaintiff’s own claims and unduly prejudicial.

Defendants will also file a motion in limine concerning unduly prejudicial evidence and testimony that Plaintiff is likely to offer, including testimony that she “slept with a knife under

her bed” in Israel, that another Forum employee brought pepper spray to a meeting, and that she believes Roman is a “predator” (and other like descriptors). Such evidence and testimony is likely to inflame the passions of the jury and cause them to overlook the evidence at trial (as was decided by Judge Gallagher at the trial between the Forum and Marnie Meyer-O’Brien).

Defendants will also move in limine to preclude evidence of settlement discussions between the parties, evidence of other previously completed litigations between Plaintiff and Defendants and other claimants and Defendants, and any other actions between Plaintiff and Defendants, as well as EEOC filings and insurance-related documents including insurance current litigation involving insurance, insurance policies and the existence of the Forum’s current and past insurance coverage.

Defendants will also move in limine to bar Plaintiff from introducing evidence of alleged retaliation and/or constructive discharge (and related damages), as her retaliation claims were dismissed by this Court.

Defendants will also move affirmatively in limine to admit evidence concerning tax and financial problems Plaintiff has suffered, including IRS records, bank records and litigations, which provide a motive for Plaintiff to pursue claims against Defendants in an effort to gain a needed windfall.

Defendants may seek a spoliation sanction in the form of an adverse inference against Plaintiff resulting from her wiping of her Forum-owned computer despite Forum policy and a litigation hold prohibiting such destruction of evidence. Defendants believe that the evidence contained on Plaintiff’s work computer would have been harmful to Plaintiff’s case and helpful to Defendants’ defense.

Defendants may file a motion in limine or otherwise move to strike Plaintiff’s claims for punitive damages for lack of evidence and/or statutory support.

Defendants may also re-raise their statute of limitations defense to Plaintiff's discrimination allegations.

Depending on the Court's resolution of Defendants' motions in limine, Defendants may request a limiting instruction from the Court to be read to the jury instructing that the jury may only consider certain types of testimony and evidence for a limited purpose.

Defendants may seek trial depositions of witnesses unavailable and/or outside of the Court's jurisdiction, if necessary.

Finally, Defendants anticipate that Plaintiff may raise the issue of a 30(b)(6) discovery deposition pursuant to prior Order of the Court. Pursuant to Court Order, Defendants produced additional documents to Plaintiff on August 1, 2021. Plaintiff's counsel waited two weeks to inquire about a deposition of Gregg Roman and was told that Mr. Roman would likely be available the week of August 30. In that same correspondence, defense counsel specifically informed Plaintiff's counsel that he was required to notify the Court on or before September 2, 2021 of his intention to depose Mr. Roman. Despite this, he never did so, nor did he ever notice any deposition. Two weeks after that deadline, Plaintiff raised the issue of the deposition for the first time since his initial inquiry and was informed, pursuant to Court Order, that the deadline for noticing that deposition had passed. Plaintiff did not respond to that email dated September 15, 2021, nor has he engaged in any further discussion with defense counsel or filed a motion to compel. A true and correct copy of the last correspondence between counsel for Plaintiff and counsel for defendant is attached as Attachment C.

V. STIPULATIONS

There are no stipulations at this time. Counsel for Plaintiff and Defendants are discussing potential stipulations to narrow the issues for trial and to avoid waste of judicial resources. If

counsel are able to agree on such stipulations, they will amend their pretrial memoranda and submit the stipulations to the Court.

VI. DEPOSITION DESIGNATIONS

At the present time, Defendants do not anticipate offering designated portions of depositions as evidence at trial, but reserve their right to do so should the need arise as a result of witness unavailability or for impeachment purposes.

VII. DAMAGES

Defendants submit that Plaintiff is entitled to no damages.

VIII. ESTIMATED TIME FOR TRIAL

Defendants anticipate that trial in this matter will take four (4) to five (5) days depending heavily on which witnesses Plaintiff attempts to call and on the resolution of the Defendants' motions in limine concerning the witnesses Plaintiff is permitted to call and the substance and scope of those witnesses testimony. If Defendants' motion in limine is denied and Plaintiff calls all anticipated "other party" witnesses, Defendants anticipate that trial in this matter will take nine (9) to (10) days.

Respectfully submitted,

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Dated: September 24, 2021

Attachment A

Witness List

Attachment A - Defendants' Witness List**Lay Witnesses**

<u>Witness Name</u>	<u>Address</u>	<u>Concise Statement of Testimony</u>
Dr. Daniel Pipes	Contact through counsel	Dr. Pipes will testify as to the substance of Plaintiff's harassment claims and the actions taken by himself and the Forum to remedy the conduct complained of by Plaintiff.
Gregg Roman	Contact through counsel	Mr. Roman will testify as to the substance of Plaintiff's harassment claims and the actions taken by himself and the Forum to remedy the conduct complained of by Plaintiff.
Lisa Reynolds Barbounis (as of cross)	Plaintiff	Ms. Barbounis will testify as to the substance of Plaintiff's harassment claims and her alleged emotional distress.
Vasili Barbounis (as of cross)	Plaintiff's Spouse	Mr. Barbounis will testify as to the substance of Plaintiff's harassment claims and her alleged emotional distress.
Marnie O'Brien Meyer (as of cross)	Contact through Plaintiff's counsel's firm	Ms. Meyer will testify as to Plaintiff's failure to report harassment in accordance with the Forum's anti-harassment policy and the actions taken by the Forum after reports were made.
Delaney Yonchek (as of cross)	Contact through Plaintiff's counsel's firm	Ms. Yonchek will testify as to the substance of Plaintiff's claims against the Forum.
Stacy Roman	Contact through counsel	Ms. Roman will testify as to the substance of Plaintiff's claims, the reporting of Plaintiff's claims to the Forum and the actions taken by the Forum after reports were made.
Matan Peleg	Jerusalem, Israel	Mr. Peleg will testify as to his interactions with and

		observations of the Plaintiff during her trip to Israel in 2018.
Gilad Ach	Eli, Israel	Mr. Ach will testify as to his interactions with and observations of the Plaintiff during her trip to Israel in 2018.
Yaron Sideman	Rehovot, Israel	Mr. Sideman will testify as to his interactions with and observations of the Plaintiff during her trip to Israel in 2018.
Jonathan Hunter	London, England	Mr. Hunter will testify as to his observations of the Plaintiff during AIPAC in 2018.
Elliott Miller	Embassy of Israel, Washington, DC	Mr. Miller will testify as to his observations of the Plaintiff during AIPAC in 2018.
Gary Gambill	Contact through counsel	Mr. Gambill will testify concerning his observations of Plaintiff, Mr. Roman, the interactions between the two, the office environment at the Forum and the policies and procedures at the Forum.
Matthew Ebert (as of cross)	Contact through Plaintiff's counsel	Mr. Ebert will testify as to the substance of phone calls he made to Mr. Roman concerning the veracity of Plaintiff's claims.
Jayne Reynolds	Contact through Plaintiff's counsel	Ms. Reynolds will testify as to her conversations with Plaintiff concerning her work at the Forum, her interactions with Mr. Roman, her trips to the United Kingdom, and sources of her emotional distress.
David Reynolds	Contact through Plaintiff's counsel	Mr. Reynolds will testify as to his conversations with Plaintiff concerning her work at the Forum, her interactions with Mr. Roman, her trips to the United Kingdom, and

		sources of her emotional distress.
Ryan Costello	East Vincent Township, Pennsylvania or Washington, DC	Mr. Costello will testify as to the degree and the nature of Plaintiff's emotional distress, if any.
Ryan Coyne	2402 Potomac Avenue, Unit 102, Alexandria, VA 22301	Mr. Coyne will testify as to the degree and the nature of Plaintiff's emotional distress, if any.
Stephen Yaxley Lennon (aka Tommy Robinson, Paul Harris)	Luton/London, England	Mr. Costello will testify as to the degree and the nature of Plaintiff's emotional distress, if any, and Plaintiff's desire to work in the United Kingdom.
Daniel Thomas	Portsmouth, England	Mr. Thomas will testify as to his relationship with Plaintiff, her admissions to him concerning her motivations in pursuing these claims, and alternative sources of her emotional distress, if any.
Benjamin Baird	Contact through counsel	Mr. Baird will testify as to his relationship with Plaintiff, her admissions to him concerning her work at the Forum and her pursuit of this lawsuit, and alternative sources of her emotional distress, if any.
Jasmin Bishop	Portsmouth, England	Ms. Bishop will testify as to Plaintiff's interactions with her, and the degree and cause of her emotional distress, if any.

Expert Witnesses

Defendants will call Expert Witness Dr. Barbara Ziv, who will testify to a reasonable degree of medical certainty that (1) Plaintiff does not display any psychiatric symptoms that can be attributed to her tenure at the Middle East Forum and (2) Plaintiff has problems related to self-esteem and emotional regulation that are unrelated to and were not exacerbated by events at the Middle East Forum; Dr. Ziv will also provide expert opinion testimony rebutting the conclusion of Plaintiff's expert that Plaintiff suffered emotional distress as a result of sexual harassment at the Middle East Forum.

Attachment B

Exhibit List

DEFENDANTS' EXHIBIT LIST

Exhibit No.	Document Description	Bates Number
1	Complaint	Doc. No. 1
2	First Amended Complaint	Doc. No. 14
3	Defendants' Answer	Doc. No. 17
4	Order Granting Motion for Contempt	Doc. No. 31
5	Amended Complaint	Doc. No. 51
6	Answer to Amended Complaint with Counterclaims	Doc. No. 53
7	Answer to Counterclaims	Doc. No. 57
8	Order Granting Motion for Contempt	Doc. No. 74
9	Order on Motion for Contempt	Doc. No. 82
10	Order Granting Motion for Contempt	Doc. No. 85
11	Order on Defendants' Motion for Summary Judgment	Doc. No. 133
12	Memorandum Order on Motions for Summary Judgment	Doc. No. 135
13	Order on Plaintiff's Motion for Summary Judgment	Doc. No. 136
14	6/20/2019 EEOC Charge	No Bates No.
15	12/10/2019 EEOC Retaliation Charge	No Bates No.
16	Email from Pipes to Roman re: Investigation of Allegations	D00001-
17	Email Chain between Patricia McNulty and Daniel Pipes re: Investigation	D00001-0004
18	Email Chain between Lisa Barbounis and Daniel Pipes re: Investigation	D00005-00007
19	Email Chain between Marnie Meyer and Daniel Pipes re: Investigation	D00011-00012
20	Memorandum from D. Pipes to MEF Staff re: NDAs	D0000013
21	Email chain between Patricia McNulty and Daniel Pipes re: Investigation	D0000017-000018
22	Email chain between Lisa Barbounis and Daniel Pipes re: travel activities	D0000019-000020
23	Email chain between Patricia	D0000021

	McNulty and Daniel Pipes re: Matt Bennett	
24	Email chain between Patricia McNulty and Daniel Pipes re: G. Roman	D0000022
25	Response from D. Pipes to P. McNulty Email re: G. Roman	D0000023
26	Email from L. Barbounis to D. Pipes re: UK Trip	D0000024
27	Email from D. Pipes to P. McNulty re: Audit	D0000025
28	Email from P. McNulty to D. Pipes re: No new instances of sexual harassment	D0000027-000028
29	Email from L. Barbounis to D. Pipes re: Travel and Political Associations	D0000029
30	Email chain from D. Pipes to G. Roman re: allegations of gossip with M. Bennett	D0000032
31	Email from D. Pipes to P. McNulty re: investigation of Bennett/Roman allegations	D0000035
32	Email from D. Pipes to M. Meyer and C. Brady re: Bennett/Roman allegations	D0000036
33	Email chain between Pipes and Meyer re: Audit	D0000041-0000044
34	Staff Memo re: November 5, 2018 Meeting	D0000045
35	New MEF NDA (unsigned)	D0000046-0000048
36	11/4/18 Email from D. Pipes to L. Barbounis re: allegations against G. Roman	D0000049
37	11/6/18 Letter from D. Pipes to G. Roman re: new job duties	D0000050-000052
38	3/11/19 chain between M. Fink and L. Barbounis re: G. Roman returning to office	D0000054
39	3/11/19 email from P. McNulty to M. Fink re: G. Roman's return to office	D0000055-000056
40	3/11/19 email from M. Meyer to M. Fink re: G. Roman return to office	D0000057-000058

41	4/15/19 email from D. Pipes to L. Barbounis re: uncleared UK trip	D0000059
42	6/5/2019 email from L. Barbounis to D. Pipes re: Tommy Robinson assistance	D0000060
43	6/5/2019 email from D. Pipes to L. Barbounis re: Guardian article	D0000061
44	6/17/19 email from D. Pipes to L. Barbounis re: UK travel and affiliations	D0000062
45	7/17/19 email from M. Fink to L. Barbounis re: UK travel and activities	D0000063
46	5/28/19 email from D. Pipes to L. Barbounis re: UK travel and affiliations	D0000066-000067
47	Middle East Forum bylaws	D0000070-000089
48	MEF Personnel Manual – May 2015	D0000426-000442
49	MEF BYOD Policy	D0000965-000967
50	11/5/18 email chain between L. Barbounis and D. Pipes re: Tommy Robinson	D0000976
51	11/4/2018 email from L. Barbounis to D. Pipes re: response to investigation of G. Roman	D0000977-000979
52	Text message chain between L. Barbounis and V. Barbounis	D0000981
53	11/4/18 Email chain between L. Barbounis and D. Pipes re: NDA	D0000985-000986
54	8/7/2019 L. Barbounis resignation from MEF	D0000989-000990
55	11/6/2018 Memo from D. Pipes to G. Roman re: new job responsibilities	D0000992-000994
56	11/5/2018 Email chain between L. Barbounis and D. Pipes re: G. Roman allegations with attachments	D00001010-00015
57	MEF Personnel Manual – May 2019	D0001018-0001037

58	Email from M. Fink to M. Meyer re: Edits to Employee Manual with attached manual	D0001038-0001055
59	Email from M. Meyer to D. Yonchek re: L. Barbounis email forwarding after resignation	
60	11/5/18 email from L. Barbounis to D. Pipes responding to questions concerning investigation	D0001100-0001102
61	4/23/19 Email from L. Barbounis to T. McNulty re: Matt Bennett and G. Roman	D0001103
62	4/23/19 Email from T. McNulty to D. Pipes re: M. Bennett and G. Roman	D0001107
63	3/18/19 Signed G. Roman offer letter	D0001109-0001111
64	11/5/2018 email from L. Barbounis to D. Pipes and M. Fink attaching screenshots	D0001113-0001114
65	Text messages between G. Roman and L. Barbounis	D00001122-1125
66	6/19/19 Email from D. Pipes to L. Barbounis re: Suprises	D0001131
67	11/6/18 Email from M. Fink to G. Roman attaching new job duties	D0001135-0001138
68	11/4/18 Email from L. Barbounis to D. Pipes attaching all screenshots	D00001144-0001155
69	4/24/19 Email from M. Meyer to D. Pipes stating rumor was started pre-Nov. 1	D0000156
70	11/4/18 Email from L. Barbounis to D. Pipes re: new NDA concerns	D0001178-0001179
71	8/7/19 Email from M. Meyer to G. Levy re: removal of L. Barbounis from social media accounts	D0001248
72	6/11/19 Email from T. McNulty to D. Pipes	D0001303-0001304
73	11/4/18 Email from L. Barbounis to D. Pipes re: happy	D0001332

	to sign this version of NDA	
74	Text message to L. Barbounis re: need to be more careful	D0001333
75	6/19/19 Email from D. Pipes to L. Barbounis re: surprise.	D0001337
76	6/17/19 Email from D. Pipes to L. Barbounis re: Tommy Robinson work	D0001338
77	Text message from L. Barbounis to J. Bishop re: marriage and Danny Thomas	D0001356
78	Text message between V. Barbounis and J. Bishop re: black eye	D0001357
79	Transcript of L. Barbounis messages to J. Bishop	D0001358-0001397
80	Text message from L. Barbounis to J. Bishop re: Tommy Robinson	D0001575-0001579
81	Text message from L. Barbounis to D. Thomas	D0001580
82	Text messages from L. Barbounis to J. Bishop	D0001583
83	Text message from L. Barbounis to P. McNulty re: shirtless man	D0001584
84	Text messages from L. Barbounis to J. Bishop	D0001585-0001586
85	8/7/19 Barbounis resignation email	D0001587
86	5/28/19 email from D. Pipes to L. Barbounis re: surprise travels	D00001588-0001590
87	5/4/18 email chain between L. Barbounis and M. Meyer re: scheduling	D0001592-0001593
88	4/30/19 L. Barbounis auto-reply out of office from March 30 to May 14	D0001597
89	4/16/19 email from L. Barbounis to D. Pipes re: J. Posobiec connection	D0001598-0001599
90	5/16/19 Email from L. Barbounis to D. Pipes and G. Roman re: trip to UK	D0001600-0001601
91	Email from D. Pipes to L.	D0001608-0001610

	Barbounis re: London trip	
92	Email to D. Pipes from L. Barbounis re: Zisser title error	D0001611-0001612
93	Email from J. Halliday to D. Pipes, G. Roman and L. Barbounis seeking clarification on Barbounis' role with Robinson campaign	D0001613-0001614
94	12/7/18 email to D. Pipes and G. Roman re: Barbounis involvement with Robinson	D0001618-0001619
95	10/30/18 memo from M. Bennett to G. Roman re: L. Barbounis and M. Meyer	D0001621-0001622
96	4/16/19 email from D. Pipes to L. Barbounis re: unauthorized travel	D0001623-0001624
97	6/19/19 email from D. Pipes to L. Barbounis re: job announcement release	D0001627
98	6/19/19 email from D. Pipes to L. Barbounis re: job announcement	D0001629
99	Email chain between L. Barbounis and G. Roman re: Matan Peleg	D0001630
100	Email from J. Halliday to D. Pipes re: L. Barbounis and Ukip	D0001631-0001633
101	12/7/18 email from L. Barbounis to D. Pipes re: UK activities	D0001637-0001639
102	12/7/18 email from D. Pipes to J. Halliday re: L. Barbounis Ukip activities	D0001640
103	10/30/18 email from L. Barbounis to G. Roman re: office incident	D0001641-0001642
104	7/27/19 email from D. Pipes to L. Barbounis re: Zisser title error	D0001644
105	10/30/19 email from L. Barbounis to G. Roman re: office incident	D0001645-1646
106	10/31/18 email from L. Barbounis to G. Roman re:	D0001648

	clearing the air with M. Meyer	
107	7/3/18 Email from G. Roman stating L. Barbounis should arrange Young Leadership events	D0001667-1669
108	9/17/18 Email from G. Roman to L. Barbounis making sure Barbounis is copies on Campus Watch Updates	D0001844-0001845
109	10/15/18 email from G. Roman to L. Barbounis and others re: Barbounis' email re: donor meetings	D0002075-0002076
110	Email chain between M. Meyer and M. Fink re: G. Roman's return to the office	D0010471-0010472
111	11/9/18 email from S. Westrop to D. Pipes re: G. Roman's conduct toward male employees	D0010475-0010476
112	11/8/18 email chain re: Tommy Robinson	D0010476-0010479
113	4/29/19 email chain between L. Barbounis and D. Pipes re: funding of T. Robinson	D0010481
114	11/8/18 email chain between L. Barbounis and D. Pipes re: Tommy Robinson	D0010482-0010485
115	L. Barbounis telegram messages with D. Pipes	D0010492-0010501
116	L. Barbounis text messages with D. Pipes re: Tommy Robinson	D0010502-0010507
117	6/29/18 email chain from V. Sullivan re: payment of money from MEF	D0010525-0010532
118	6/18/19 email from L. Barbounis to M. Fink re: Tommy Robinson	D0010533-0010535
119	4/29/19 telegram messages between L. Barbounis and D. Pipes	D0010581-0010590
120	3/27/19 email chain between M. Fink and P. McNulty re: G. Roman's return to office	D0010613-0010614
121	6/11/19 email from L. Barbounis to P. McNulty re: G.	D0010617-0010619

	Roman dictating stuff	
122	7/19/19 email from L. Barbounis to her personal email address re: UK travels correspondence	D0010625-0010627
123	Emails from L. Barbounis to T. Giles re: Tommy Robinson	D0010646-0010649
124	11/23/18 email from R. Thomas to L. Barbounis re: D. Thomas	D0010650-0010651
125	7/24/19 L. Barbounis' resume submission to House of Representatives	D0010731-0010735
126	6/17/19 email correspondence between L. Barbounis and D. Pipes re: T. Robinson	D0010739-0010740
127	3/4/19 email from L. Barbounis as Director of Communications for T. Robinson	D0010748
128	2/17/2019 email from L. Barbounis as Director of Communications for T. Robinson	D0010750
129	Message from J. Bishop re: L. Barbounis' affair with D. Thomas	D0010753
130	Messages between L. Barbounis and D. Pipes re: G. Roman's 501(c)(4)	D0010754
131	11/4/18 email from D. Pipes to L. Barbounis re: new NDA	D0010756-0010758
132	Messages between L. Barbounis and J. Bishop	D0011091-0011143
133	Messages between L. Barbounis and D. Thomas	D0011144-0011153
134	Audio transcriptions of messages from L. Barbounis to J. Bishop	D0011154-0011157
135	5/28/19 Email from L. Barbounis to D. Pipes re: job review	D0011161-0011164
136	WhatsApp Chat between L. Barbounis and D. Thomas	D0011186
137	Message between L. Barbounis and D. Thomas	D0011187
138	Message from L. Barbounis re:	D0011188-0011169

	D. Thomas getting what he deserves	
139	7/10/2019 email from G. Igler to L. Barbounis	D0011182-0011183
140	Text messages from J. Bishop to G. Roman re: L. Barbounis' activities in the UK	D0011215-0011217
141	8/16/18 Telegram thread between L. Barbounis and G. Roman	D0011254-0011293
142	Messages between J. Bishop and L. Barbounis	D0011300
143	3/13/19 Memo to G. Roman from D. Pipes re: new job responsibilities	D0011308-0011310
144	7/19/19 Email from L. Barbounis re: Facebook ban	D0011311
145	6/5/19 Email from L. Barbounis to D. Pipes re: UK trip with children	D0011316
146	6/4/19 Correspondence between M. Meyer and D. Pipes re: Audit	D0011330-0011345
147	5/29/19 RAIR Grant proposal from L. Barbounis to D. Pipes	D0011365-0011388
148	5/16/19 email from L. Barbounis to D. Pipes and G. Roman re: family vacation to England and Ireland	D0011389-0011390
149	Memo from L. Barbounis to D. Pipes and G. Roman re: activity with T. Robinson	D0011391-0011392
150	2/12/2019 Email from L. Barbounis to D. Pipes re: Weekly Report	D0011393-0011395
151	1/7/19 email from L. Barbounis to D. Pipes re: J. Atkinson proposal	D0011397-0011403
152	12/4/2018 email from L. Barbounis to D. Pipes re: Tommy Robinson	D0011404
153	5/31/18 email from L. Barbounis to G. Roman re: T. Robinson event	D0011418
154	12/12/18 email drafted by L.	D0011419

	Barbounis for D. Thomas	
155	2/8/19 email from L. Barbounis to D. Kirkpatrick re: T. Robinson	D0011420-0011421
156	12/3/18 email from L. Barbounis to T. Robinson re: proposal to D. Pipes	D0011423-0011427
157	6/20/18 email from D. Thomas to G. Roman re: expenses for event	D0011492-0011497
158	9/26/17 Email from L. Barbounis accepting employment offer	D0011502
159	9/15/17 email from L. Barbounis to M. Bennett attaching writing samples and confirming meeting	D0011503-0011505
160	L. Barbounis Facebook post re: judging coworkers	D0011538
161	9/17/18 text thread between L. Barbounis and G. Roman re: Barbounis' sick children and personal issues	D0011540-0011541
162	WhatsApp threat between L. Barbounis and D. Pipes	D0011542-
163	Email from G. Roman to L. Barbounis re: 501(c)(4)	D0011543-0011544
164	Text thread between L. Barbounis and G. Roman re: telling me when you're upset	D0011545-0011547
165	Transcript of T. Robinson message to L. Barbounis re: campaign	D0011551
166	Text thread between L. Barbounis and G. Roman re: various personal issues	D0011552-0011556
167	Text message from L. Barbounis re: M. Meyer being upset	D0011559
168	October 2018 Text thread between G. Roman and M. Meyer re: L. Barbounis	D0011560-0011561
169	Notes of 11/5/18 meeting	D0011562-0011564
170	MEF Grant Agreement with D. Thomas, receipts and	D0011576-0011585

	correspondence	
171	8/3/18 proposal from L. Barbounis to G. Roman re: T. Robinson	D0011587-0011589
172	M. Meyer text messages	MEFDOCS00001-00006
173	M. Meyer group text messages re: Kimmel Center call	MEFDOCS00007-00009
174	Text thread between P. McNulty and D. Yonchek	MEFDOCS00052-00073
175	Text thread between L. Barbounis, P. McNulty and others re: various subjects	MEFDOCS00074-00103
176	Text thread between L. Barbounis and D. Yoncheck	MEFDOCS000104-00226
177	Text thread from C. Brady to T. McNulty re: L. Barbounis and office environment	MEFDOCS000469-000870
178	Text thread with various MEF employees discussing dating and related subjects	MEFDOCS000871-000874
179	Text thread with L. Barbounis commenting about a boss who does not trust her	MEFDOCS000878-000879
180	SMS messages between L. Barbounis and T. McNulty	Produced by Plaintiff with no Bates No.; Internal ref: MEF00078621-00083672
181	T. McNulty Instagram Post	Produced by Plaintiff with no Bates No.; Internal ref: MEF00097372
182	Text messages between L. Barbounis and D. Thomas	Produced by Plaintiff with no Bates No.; Internal ref: MEF00086675
183	WhatsApp Messages between J. Bishop and L. Barbounis	Produced by Plaintiff with no Bates No.; Internal ref: MEF00049321-00049615
184	Instagram messages between R. Coyne and L. Barbounis	Produced by Plaintiff with no Bates No.; Internal ref: MEF00097375
185	SMS messages between L. Barbounis and J. Reynolds	Produced by Plaintiff with no Bates No.; Internal ref: MEF00075352-00075487
186	WhatsApp messages between L. Barbounis and "Dave UK"	Produced by Plaintiff with no Bates No.; Internal ref: MEF00070890-00071028
187	Instagram messages between L. Barbounis and R. Kassam	Produced by Plaintiff with no Bates No.; Internal ref: MEF00097305
188	Instagram messages between L. Barbounis and "Vanilla Steve"	Produced by Plaintiff with no Bates No.; Internal ref: MEF00093091-00093108
189	WhatsApp messages between L. Barbounis and G. Levy	Produced by Plaintiff with no Bates No.; Internal ref MEF00070757-00070889
190	SMS Between McNulty and Barbounis re Brady	Produced by Plaintiff with no Bates No.; Internal ref: Barbounis -197135

191	SMS Between McNulty and Barbounis re McNulty looking for new jobs	Produced by Plaintiff with no Bates No.; Internal ref no. Barbounis-200339
192	SMS Between McNulty and Barbounis re Yonchek and Work Environment	Produced by Plaintiff with no Bates No.; Internal ref: Barbounis-197056-57
193	SMS Between McNulty and Barbounis re Conflict with Marnie	Produced by Plaintiff with no Bates No.; Internal ref: Barbounis-197892-94
194	SMS Between McNulty and Barbounis re Conflict with O'Brien.	Produced by Plaintiff with no Bates No.; Internal ref: Barbounis-198408-12
195	SMS Between McNulty and Barbounis re Stacey Roman	Produced by Plaintiff with no Bates No.; Internal ref: Barbounis-198-480-81
196	SMS Between McNulty and Barbounis re conflict with O'Brien	Produced by Plaintiff with no Bates No.; Barbounis-198765-69
197	SMS Between McNulty and Barbounis re Stacey Roman	Produced by Plaintiff with no Bates No.; Internal ref: Barbounis-198833-34
198	SMS Between McNulty and Barbounis re Conflicts with O'Brien	Produced by Plaintiff with no Bates No.; Internal ref: Barbounis-201537-68
199	SMS Between McNulty and Barbounis re O'Brien Payroll Issues	Produced by Plaintiff with no Bates No.; Internal ref: Barbounis-200187-200237
200	SMS Between McNulty and Barbounis re October 30 Conflict	Produced by Plaintiff with no Bates No.; Internal ref: Barbounis-198938-68
201	SMS Between McNulty and Barbounis re Report to Pipes	Produced by Plaintiff with no Bates No.; Internal ref: Barbounis-199042-293
202	SMS Between McNulty and Barbounis re pre-all staff meeting.	Produced by Plaintiff with no Bates No.; Internal ref: Barbounis-198969-199029
203	SMS Between McNulty and Barbounis re UK Trip	Produced by Plaintiff with no Bates No.; Internal ref: Barbounis-196875-982
204	SMS message chain between L. Barbounis and P. McNulty re: D. Thomas, work environment, coworkers and related subjects	McNulty0001-0616
205	Expert Report of Dr. Barry Zakireh	No Bates No.
206	Expert Report of Dr. Barbara Ziv	No Bates No.
207	Supplemental Report of Dr.	No Bates No.

	Barbara Ziv	
208	Lisa Barbounis Medical Records	Confidential Medical Records 0001-0252 (Produced by Plaintiff)
209	Text messages between L. Barbounis and M. Bennett re: E. Patel	Produced by Plaintiff – no Bates No.
210	Text messages between L. Barbounis and J. Reynolds re: Israel	Produced by Plaintiff – no Bates No.
211	Photos taken by L. Barbounis in Israel	Produced by Plaintiff – no Bates No.
212	3/14/18 SMS Messages between L. Barbounis and M. Meyer re: L. Barbounis’ trip to Israel	Produced by Plaintiff – no Bates No.
213	Text messages from L. Barbounis to M. Bennett re: Gregg is a good boss	Produced by Plaintiff – no Bates No.
214	3/29/18 Message from L. Barbounis to P. McNulty re: need to look for a job where I am not an assistant	Produced by Plaintiff – no Bates No.
215	Text message thread between L. Barbounis and P. McNulty re: about to quit	Produced by Plaintiff – no Bates No.
216	3/30/18 series of messages between L. Barbounis and P. McNulty re: I am going to punch Marnie and quit	Produced by Plaintiff – no Bates No.
217	2/2/18 message from L. Barbounis to P. McNulty re: M. Meyer	Produced by Plaintiff – no Bates No.
218	4/4/18 message from L. Barbounis to V. Barbounis calling M. Meyer a “bitch	Produced by Plaintiff – no Bates No.
219	4/9/18 message thread between L. Barbounis and P. McNulty re: lying to get out of work	Produced by Plaintiff – no Bates No.
220	Message thread between L. Barbounis and J. Reynolds re: G. Roman putting Barbounis’ name on a proposal	Produced by Plaintiff – no Bates No.
221	Message from L. Barbounis re: “everyone here loves me”	Produced by Plaintiff – no Bates No.
222	Message from L. Barbounis to P. McNulty re: “sending emails	Produced by Plaintiff – no Bates No.

	high as shit”	
223	Message thread between L. Barbounis and V. Barbounis re: anger at G. Roman	Produced by Plaintiff – no Bates No.
224	Message thread between L. Barbounis and J. Reynolds re: anger at G. Roman	Produced by Plaintiff – no Bates No.
225	Message thread between L. Barbounis and D. Thomas re: “if I didn’t have this Tommy thing I’d quit today	Produced by Plaintiff – no Bates No.
226	Message thread between L. Barbounis and D. Thomas re: quitting	Produced by Plaintiff – no Bates No.
227	Message thread between L. Barbounis and V. Barbounis re: meeting with M. Meyer and D. Pipes	Produced by Plaintiff – no Bates No.
228	Message thread between L. Barbounis and V. Barbounis re: Israel	Produced by Plaintiff – no Bates No.
229	Message thread between L. Barbounis and J. Reynolds re: G. Roman reassignment	Produced by Plaintiff – no Bates No.
230	10/30/18 message thread between L. Barbounis and D. Thomas re: quitting	Produced by Plaintiff – no Bates No.
231	11/15/18 message thread between L. Barbounis and K. Ercole	Produced by Plaintiff – no Bates No.
232	Message thread between L. Barbounis P. McNulty re: London trip, including screenshot from R. Kassam re: spending “Gregg’s \$5k”	Produced by Plaintiff – no Bates No.
233	11/23/18 Response from L. Barbounis to R. Thomas email	Produced by Plaintiff – no Bates No.
234	12/5/18 Message thread between L. Barbounis and T. Robinson re: responding to D. Pipes’ email	Produced by Plaintiff – no Bates No.
235	Instagram message logs between L. Barbounis and V. Sullivan	Produced by Plaintiff – no Bates No.
236	3/3/19 Message thread between L. Barbounis and D. Thomas re:	Produced by Plaintiff – no Bates No.

	T. Robinson	
237	3/7/19 Message thread between L. Barbounis and J. Bishop re: missing money	Produced by Plaintiff – no Bates No.
238	Message thread between L. Barbounis and T. Robinson re: missing money	Produced by Plaintiff – no Bates No.
239	Message from L. Barbounis to T. Giles re: \$100,000 commission	Produced by Plaintiff – no Bates No.
240	WhatsApp message thread between L. Barbounis and T. Robinson beginning 4/18/19	Produced by Plaintiff – no Bates No.
241	4/18/19 message thread between Plaintiff and T. Walton re: missing money	Produced by Plaintiff – no Bates No.
242	5/18/19 message thread between L. Barbounis and S. Watson re: “I do what I want.”	Produced by Plaintiff – no Bates No.
243	5/29/19 message thread between L. Barbounis and G. Levy re: G. Roman	Produced by Plaintiff – no Bates No.
244	5/31/19 message thread between L. Barbounis and J. Bishop	Produced by Plaintiff – no Bates No.
245	6/20/2019 message thread between L. Barbounis and B. Baird	Produced by Plaintiff – no Bates No.
246	Message thread from L. Barbounis to D. Thomas re: J. Bishop	Produced by Plaintiff – no Bates No.
247	Message thread between L. Barbounis and J. Bishop re: “I love torturing you.”	Produced by Plaintiff – no Bates No.
248	Message thread between L. Barbounis and J. Bishop	Produced by Plaintiff – no Bates No.
249	9/13/19 Tuition Late Notice	Barbounis deposition exhibit
250	2/2017 Notice of Tax Lien	Public Document
251	9/2014 Notice of Tax Lien	Public Document
252	9-2015 Notice of Tax Lien	Public Document
253	12/15/14 Notice of Levy by IRS	Public Document
254	6/21/17 Collection letter from ProCo re: delinquent medical bills	Public Document
255	3/12/2019 Civil Action Complaint re: mortgage	Public Document

	foreclosure – Wells Fargo Bank v. Vasili G. Barbounis, et al.; Docket No. 190301479	
256	2/1/2021 Civil Action Complaint – 2601 Parkway Condominium Association v. Vasili Barbounis, No. 181101869	Public Document
257	12/8/17 Certified Copy of Lien against V. Barbounis	Public Document
258	12/1/18 Certified Copy of Lien against V. Barbounis	Public Document
259	3/2/18 Certified Copy of Lien against V. Barbounis	Public Document
260	02/07/2010 State of New Jersey v. Lisa Reynolds re: assault	Public Document
261	Certificate of Completion of “Alternatives to Violence Basic Workshop”	No Bates No.
262	Call/Transcript of D. Thomas Conversation No. 1	No Bates No.
263	Call/Transcript of D. Thomas Conversations No. 2	No Bates No.
264	Call from M. Ebert to G. Roman	No Bates No.
265	Call between LB and MM	No Bates No.
266	Facebook thread including remarks from L. Barbounis and J. Reynolds	Public document
267	Communications between L. Barbounis and C. McMichael	Produced by Plaintiff – no Bates No.
268	Communications between L. Barbounis and J. Whitner	Produced by Plaintiff – no Bates No.
269	Photograph of L. Barbounis with Matt Gaetz	Produced by Plaintiff with no Bates No.; file name: 18.02.2021_22.07.59_REC.png
270	Screenshot of L. Barbounis communicating with J. Bishop	Produced by Plaintiff with no Bates No.; file name: 19.02.2021_11.05.32_REC.png
271	Screenshot of L. Barbounis’ messages with G. Levy re: MEF	Produced by Plaintiff with no Bates No.; file name: 19.02.2021_13.57.19_REC.png
272	Screenshot of L. Barbounis’ messages with G. Levy re: MEF	Produced by Plaintiff with no Bates No.; file name: 19.02.2021_13.59.09_REC.png
273	Screenshot of L. Barbounis’ communications with G. Iglar	Produced by Plaintiff with no Bates No.; file name: 19.02.2021_14.29.45_REC.png
274	Screenshot of L. Barbounis calling G. Roman a “piece of shit”	Produced by Plaintiff with no Bates No.; file name: 19.02.2021_14.42.49_REC.png

275	Screenshot of communication from L. Barbounis stating G. Roman “needs to go away”	Produced by Plaintiff with no Bates No.; file name: 19.02.2021_14.44.54_REC.png
276	Screenshot of communication from L. Barbounis stating she “hates” G. Roman	Produced by Plaintiff with no Bates No.; file name: 19.02.2021_15.05.08_REC.png
277	Screenshot of L. Barbounis stating that G. Roman “basically got fired”	Produced by Plaintiff with no Bates No.; file name: 19.02.2021_20.47.27_REC.png
278	Screenshot of L. Barbounis message stating that G. Roman is “gross”	Produced by Plaintiff with no Bates No.; file name: 19.02.2021_21.09.19_REC.png
279	Screenshot of L. Barbounis and D. Thomas on a livestream	Produced by Plaintiff with no Bates No.; file name: 00000098-PHOTO-2018-10-24-02-21-33.jpg
280	Audio message from D. Thomas suggesting MEF has reached out to L. Barbounis’ boss	Produced by Plaintiff with no Bates No.; file name: 00000270-AUDIO-2018-10-26-09-53-00.opus
281	Audio message from D. Thomas referencing L. Barbounis’ black eye	Produced by Plaintiff with no Bates No.; file name: 00000692-AUDIO-2018-11-08-18-13-23.opus
282	Audio message from D. Thomas to L. Barbounis re: relationship	Produced by Plaintiff with no Bates No.; file name: 00000696-AUDIO-2018-11-08-18-15-00.opus
283	Audio message from D. Thomas to L. Barbounis re: “what happens in London stays in London”	Produced by Plaintiff with no Bates No.; file name: 00000704-AUDIO-2018-11-08-18-19-26.opus
284	Audio message from L. Barbounis stating that “everyone should be afraid of her”	Produced by Plaintiff with no Bates No.; file name: 00000731-AUDIO-2018-11-08-19-27-41.opus
285	Screenshot of Instagram photo of D. Thomas and L. Barbounis	Produced by Plaintiff with no Bates No.; file name: 00000793-PHOTO-2018-11-09-21-06-19.jpg
286	Photo of newspaper photograph featuring L. Barbounis and T. Robinson	Produced by Plaintiff with no Bates No.; file name: 00001744-PHOTO-2018-12-02-05-49-09.jpg
287	Photo of L. Barbounis and D. Thomas	Produced by Plaintiff with no Bates No.; file name: 00003006-PHOTO-2018-12-21-16-54-51.jpg
288	Photo of L. Barbounis and D. Thomas	Produced by Plaintiff with no Bates No.; file name: 00003009-PHOTO-2018-12-21-16-55-15.jpg
289	Photo of L. Barbounis and T. Robinson	Produced by Plaintiff with no Bates No.; file name: 00003111-PHOTO-2018-12-22-18-46-

		57.jpg
290	Photograph of D. Thomas	Produced by Plaintiff with no Bates No.; file name: 00004454-PHOTO-2019-01-15-21-36-04.jpg
291	Photograph of D. Thomas	Produced by Plaintiff with no Bates No.; file name:
292		Produced by Plaintiff with no Bates No.; file name: 00004455-PHOTO-2019-01-15-21-36-12.jpg
293	Photograph of D. Thomas	Produced by Plaintiff with no Bates No.; file name: 00005042-PHOTO-2019-01-30-06-49-25.jpg
294	Photograph taken by L. Barbounis at Brussels conference	Produced by Plaintiff with no Bates No.; file name: 00005043-PHOTO-2019-01-30-06-49-31.jpg
295	Photograph of L. Barbounis with a black eye	Produced by Plaintiff with no Bates No.; file name: 00005072-PHOTO-2019-01-31-05-11-46.jpg
296	Photograph of L. Barbounis with T. Robinson	Produced by Plaintiff with no Bates No.; file name: 00005078-PHOTO-2019-01-31-13-19-19.jpg
297	Video of L. Barbounis stating that she would give D. Thomas a black eye	Produced by Plaintiff with no Bates No.; file name: 00005766-VIDEO-2019-02-12-19-55-29.mp4
298	Audio recording of D. Thomas re: L. Barbounis working for T. Robinson	Produced by Plaintiff with no Bates No.; file name: 00005860-AUDIO-2019-02-14-07-10-59.opus
299	Audio message from D. Thomas threatening to end his relationship with L. Barbounis	Produced by Plaintiff with no Bates No.; file name: 00005956-AUDIO-2019-02-16-09-35-15.opus
300	Audio message from L. Barbounis to D. Thomas responding to his message about her ruining his life	Produced by Plaintiff with no Bates No.; file name: 00005957-AUDIO-2019-02-16-09-40-44.opus
301	Screenshot of L. Barbounis explaining how she received a black eye	Produced by Plaintiff with no Bates No.; file name: 00006248-PHOTO-2019-03-01-07-46-41.jpg
302	Audio message from D. Thomas telling L. Barbounis to cease speaking with J. Bishop	Produced by Plaintiff with no Bates No.; file name: 00006328-AUDIO-2019-03-03-09-53-00.opus
303	Photo of L. Barbounis' new boss asleep	Produced by Plaintiff with no Bates No.; file name: MEFPHN02-0000095.jpeg
304	Screenshot of L. Barbounis' explaining how to hide photos	Produced by Plaintiff with no Bates No.; file name: MEFPHN02-0000267.png
305	Photo of L. Barbounis' debt to	Produced by Plaintiff with no Bates No.; file

	University of Pennsylvania	name: MEFPHN02-0000387.JPG
306	Screenshot of L. Barbounis communicating with J. Reynolds	Produced by Plaintiff with no Bates No.; file name: MEFPHN02-0000430.PNG
307	Photograph of L. Barbounis' student loan bills	Produced by Plaintiff with no Bates No.; file name: MEFPHN02-0000501.png
308	Photograph of L. Barbounis' past due school bill	Produced by Plaintiff with no Bates No.; file name: MEFPHN02-0000687.jpeg
309	Photograph of L. Barbounis' black eye	Produced by Plaintiff with no Bates No.; file name: MEFPHN02-0001703.HEIC
310	Photograph of L. Barbounis' proposal to T. Giles	Produced by Plaintiff with no Bates No.; file name: Proposal to Terry Giles for The Rebel
311	Photograph of J. Reynolds in London	Produced by Plaintiff with no Bates No.; file name: MEFPHN02-0003380.HEIC
312	Photograph of J. Reynolds	Produced by Plaintiff with no Bates No.; file name: MEFPHN02-0003382.HEIC
313	Photograph of J. Reynolds	Produced by Plaintiff with no Bates No.; file name: MEFPHN02-0003388.HEIC
314	Photograph of Brussels conference	Produced by Plaintiff with no Bates No.; file name: MEFPHN02-0003413.HEIC.preview.jpg
315	Video of L. Barbounis and D. Thomas	Produced by Plaintiff with no Bates No.; file name: MEFPHN02-0007349.mp4
316	Janice Atkinson proposal to MEF	Produced by Plaintiff with no Bates No.; file name: MEFPHN02-0007783.docx
317	Video of L. Barbounis and T. McNulty	Produced by Plaintiff with no Bates No.; file name: MEFPHN02-0010694.mov
318	Video of L. Barbounis, T. McNulty, D. Yonchek and C. Brady	Produced by Plaintiff with no Bates No.; file name: MEFPHN02-0010732.mov
319	Photograph of UK rally	Produced by Plaintiff with no Bates No.; file name: MEFPHN02-0011657.HEIC
320	Video of UK rally	Produced by Plaintiff with no Bates No.; file name: MEFPHN02-0013071.MOV
321	Photograph of UK rally	Produced by Plaintiff with no Bates No.; file name: MEFPHN02-0013072.HEIC.preview.jpg
322	Photo of L. Barbounis at Gala	D0011590
323	Photo of L. Barbounis at Gala	D0011591
324	Photo of L. Barbounis at Gala	D0011592
325	Photo of L. Barbounis at Gala	D0011593
326	Photo of L. Barbounis at Gala	D0011594
327	Photo of L. Barbounis at Gala	D0011595
328	Screenshot of L. Barbounis discussing French AirBNB host	Produced by Plaintiff with no Bates No.; file name: MEHPFN02-0001976

	for Israel trip	
329	Screenshot of L. Barbounis discussing AirBNB in Israel	Produced by Plaintiff with no Bates No.; file name: MEHPFN02-0001976
330	Screenshot of L. Barbounis stating she is paid more than male counterparts	Public document from Twitter: https://twitter.com/Lisaelizabeth/status/1204062911381069824
331	Photo of L. Barbounis with middle finger	Produced by Plaintiff with no Bates No.;
332	Screenshot of L. Barbounis telling J. Bishop she loves torturing her	Produced by Plaintiff with no Bates No.; Internal ref. no.: REL0000004232
333	Screenshot of L. Barbounis telling J. Bishop she has guys lined up at her door	Produced by Plaintiff with no Bates No.; Internal ref. no.: REL0000004232
334	Screenshot of L. Barbounis stating that she never deletes anything	Produced by Plaintiff with no Bates No.; Internal ref: no.: REL0000004414
335	Photo of L. Barbounis and D. Thomas in bed	Produced by Plaintiff with no Bates No.;
336	Conversation between L. Barbounis and A. Meckelburg	Produced by Plaintiff with no Bates No.; file name: MEFPHN01-0000892
337	Conversation between L. Barbounis, G. Levy and E. Levant	Produced by Plaintiff with no Bates No.; file name: MEFPHN01-0003743
338	L. Barbounis text message thread	Produced by Plaintiff with no Bates No.; file name: MEFPHN01-0000967
339	Message thread between L. Barbounis and B. Baird	Produced by Plaintiff with no Bates No.; file name: MEFPHN02-0005141
340	Message thread between L. Barbounis and G. Igler	Produced by Plaintiff with no Bates No.; file name: MEFPHN02-0007429
341	Message thread between L. Barbounis and J. Reynolds	Produced by Plaintiff with no Bates No.; file name: MEFPHN01-0000807
342	Message thread between L. Barbounis and J. Bishop	Produced by Plaintiff with no Bates No.; file name: MEFPHN02-0007292
343	Message thread between L. Barbounis and J. Bishop	Produced by Plaintiff with no Bates No.; file name: MEFPHN01-0000050
344	Message thread between L. Barbounis and J. Bishop	Produced by Plaintiff with no Bates No.; file name: MEFPHN02-0006137
345	Message thread between L. Barbounis and M. Meyer	Produced by Plaintiff with no Bates No.; file name: MEFPHN02-0011445
346	Message thread between L. Barbounis and P. Sandman	Produced by Plaintiff with no Bates No.; file name: MEFPHN02-0007681
347	Message thread between L. Barbounis and R. Costello	Produced by Plaintiff with no Bates No.; file name: MEFPHN02-0014341

348	Message thread between L. Barbounis and T. Robinson	Produced by Plaintiff with no Bates No.; file name: MEFPHN02-0008568
349	Message thread between L. Barbounis and T. Walton	Produced by Plaintiff with no Bates No.; file name: MEFPHN01-0003640
350	Message thread between L. Barbounis and V. Barbounis	Produced by Plaintiff with no Bates No.; file name: MEFPHN02-0006495
351	Message thread between L. Barbounis and V. Barbounis	Produced by Plaintiff with no Bates No.; file name: MEFPHN02-0010153
352	Message thread between L. Barbounis and W. Chamberlain	Produced by Plaintiff with no Bates No.; file name: MEFPHN02-0005412
353	L. Barbounis message re: Tommy Robinson campaign	Produced by Plaintiff with no Bates No.; file name: MEFPHN01-0004882
354	L. Barbounis message re: V. Barbounis	Produced by Plaintiff with no Bates No.; file name: MEFPHN02-0000282
355	L. Barbounis message re: A. Patel	Produced by Plaintiff with no Bates No.; file name: MEFPHN02-0011697
356	L. Barbounis message with D. Thomas	Produced by Plaintiff with no Bates No.; file name: MEFPHN01-0004264
357	L. Barbounis message re: T. Robinson	Produced by Plaintiff with no Bates No.; file name: MEFPHN01-0003921
358	L. Barbounis message re: job stress	Produced by Plaintiff with no Bates No.; file name: MEFPHN01-0004264
359	L. Barbounis message re: Israel AirBNB	Produced by Plaintiff with no Bates No.; file name: MEFPHN02-0001976
360	Message from L. Barbounis to J. Bishop:	Produced by Plaintiff with no Bates No.; Internal ref. no.: REL0000004232
361	Email from L. Barbounis re: T. McNulty's resignation letter	Produced by Plaintiff with no Bates No.; Internal ref. no.: REL0000004414
362	Messages between L. Barbounis to J. Bishop	Produced by Plaintiff with no Bates No.; Internal ref. no.: REL0000030870
363	Message from L. Barbounis discussing factory reset of device	Produced by Plaintiff with no Bates No.; file name: MEFPHN02-0011445
364	Message thread between L. Barbounis and J. Reynolds	Produced by Plaintiff with no Bates No.; file name: MEFPHN02-0013135
365	Facebook profile of Olivia Eleftherakis (created by L. Barbounis)	Publicly available via social media; URL: https://m.facebook.com/olivia.jane.94617?tsid=0.9779427570762862&source=result

Attachment C

Correspondence

Regarding 30(b)(6)

Deposition

Cavalier, Jonathan

From: Cavalier, Jonathan

Sent: Wednesday, September 15, 2021 10:14 AM

To: Seth Carson

Subject: Re: Deposition of a 12(b)(6)

Seth:

I'm not sure what you're referring to here, but I disagree strongly with your statement that you have "tried to schedule a 12(b)(6) many times." Assuming that you mean a 30(b)(6) deposition, you reached out to me once, for the first and only time, via text message, on Monday, August 16 (nearly a month ago, and two weeks after we produced documents in accordance with Judge Wilson's order), asking to schedule Gregg Roman's 30(b)(6) deposition "in the next week or so." I asked you whether you were saying "that you want to have dates locked down in the next week or so, or that you want to do the deposition in the next week or so," and I told you, the "former, I can do, no problem. The latter, I can't - I don't know Gregg's schedule, but I'm on vacation starting tomorrow through the end of next week." I then told you that "I can talk to Gregg about his schedule but we would probably be looking at the week of the 30th."

You responded that you "thought we had a schedule to keep," and I told you specifically that all you had to do was submit your deposition witness list to the Court by September 2, per Judge Wolson's prior Order. You did not do so, and to my knowledge, you never reached out about it again to me by phone, text or email, nor did you ever notice any deposition. As a result, we quite reasonably assumed that you had decided against taking it.

It is now nearly two weeks beyond the Court-ordered deadline and a month since the last and only time you reached out about scheduling this deposition, and as you note, we are focused on the other immanent dates in the Court's scheduling order, including exhibit lists, which are due in two days, and our pretrial memo, which is due at the end of next week. If I am wrong about any of the above, please let me know - otherwise, from Defendants' perspective and per the Court's order, this is a closed issue.

If you would like to discuss, let me know - I'm out of the office today but will be around tomorrow.

Thanks,
Jon Cavalier
Sent from my iPhone

On Sep 14, 2021, at 10:30 PM, Seth Carson <seth@dereksmithlaw.com> wrote:

****EXTERNAL SENDER****

Jon,
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I have tried to schedule a deposition of a 12(b)(6) with you many times now and we have to get this done. We are heading into dates when exhibits are due. I gave you time because you asked

for it but you never got back to me. Can you please let me know when I can schedule this 12(b)(6) deposition?